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Burt Magen  
Vierra Magen Marcus Harmon & DeNiro, LLP  
685 Market Street, Suite 540  
San Francisco, CA 94105-4206

EXAMINER
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HOLLAR, ANDREA B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/092,010

Applicant(s)

BLOCH ET AL.

Examiner

Andrea Hollar

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/2/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

ABH

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## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 204, 460, 540, and 824. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The disclosure is objected to because of the following informalities: the related application listed on pages 1 and 15 should be updated to include the application serial number.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-10, 14-17, 19-24, and 26-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Wu (5,987,256).

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With respect to claim 1, Wu discloses a method for providing content, comprising the steps of:  
receiving a request for particular content, said request is received at a server (col. 2, lines 45-46);  
accessing a mark-up language description of said particular content (col. 2, lines 46-47, 57);  
compiling said mark-up language description of said particular content to create executable code  
that provides said particular content, said step of compiling is performed at said server in response to said  
request (col. 2, lines 47-50); and

transmitting said executable code from said server to a client (col. 2, lines 50-51).

With respect to claim 2, Wu discloses that said request is from said client (col. 2, line 52).

With respect to claim 3, Wu discloses that said executable code implements a user interface that  
provides access to said particular content (col. 2, lines 17-19).

With respect to claim 4, Wu discloses that:

said particular content includes data (col. 2, lines 45-46); and

said data is compiled to executable code during said step of compiling (col. 2, lines 47-50).

With respect to claim 5, Wu discloses that said step of compiling includes converting said data to  
action script and compiling said action script into action script byte code (col. 17, lines 49-50).

With respect to claim 7, Wu discloses executing said executable code at said client (col. 4, lines  
32-35).

With respect to claim 8, Wu discloses:

accessing media content, said particular content includes said media content (col. 2, lines 46-47,  
60);

transforming said media content to an accepted format (col. 2, lines 47-50); and

adding said transformed media content to said executable code (col. 2, lines 47-50).

With respect to claim 9, Wu discloses that said step of compiling comprises the steps of  
converting said mark-up language description to action script; and compiling said action script into action  
script byte code (col. 17, lines 49-50).

With respect to claim 10, Wu discloses the steps of:

accessing media content, said particular content includes said media content (col. 2, lines 46-47, 60);

transforming said media content to an accepted format (col. 2, lines 47-50); and

adding said transformed media content to said executable code (col. 2, lines 47-50), said request is from said client (col. 2, line 52), said executable code implements a user interface that provides access to said particular content (col. 2, lines 17-19), said particular content includes data (col. 2, lines 45-46) and said data is compiled to executable code during said step of compiling (col. 2, lines 47-50).

With respect to claim 14, Wu discloses a method for providing content, comprising the steps of:

receiving a request for particular content, said request is received at a server (col. 2, lines 45-46);

accessing first code associated with said particular content (col. 2, lines 46-47, 57);

compiling said first code to create executable code that implements a user interface that provides access to said particular content (col. 2, lines 17-19), said step of compiling is performed at said server in response to said request (col. 2, lines 47-50);

and transmitting said executable code from said server to a client (col. 2, lines 50-51).

With respect to claim 15, Wu discloses that said request is from said client (col. 2, line 52).

With respect to claim 16, Wu discloses that:

said particular content includes data (col. 2, lines 45-46); and

said data is compiled to executable code during said step of compiling (col. 2, lines 47-50).

With respect to claim 17, Wu discloses that said step of compiling includes converting said data to action script and compiling said action script into action script byte code (col. 17, lines 49-50).

With respect to claim 19, Wu discloses executing said executable code at said client (col. 4, lines 32-35).

With respect to claim 20, Wu discloses the steps of:

accessing media content, said particular content includes said media content (col. 2, lines 46-47, 60);

transforming said media content to an accepted format (col. 2, lines 47-50); and

adding said transformed media content to said executable code (col. 2, lines 47-50).

With respect to claim 21, Wu discloses a method for providing content, comprising the steps of:  
receiving a request for content that includes data, said request is received at a server (col. 2, lines 45-46);

accessing said data at said server (col. 2, lines 46-47);

compiling said data at said server to create executable code, said executable code includes a representation of said data, said step of compiling is performed in response to said request (col. 2, lines 47-50); and

transmitting said executable code from said server to a client (col. 2, lines 50-51).

With respect to claim 22, Wu discloses that said request is from said client (col. 2, line 52).

With respect to claim 23, Wu discloses that said executable code implements a user interface that provides access to said data (col. 2, lines 17-19).

With respect to claim 24, Wu discloses that said step of compiling includes converting said data to action script and compiling said action script into action script byte code (col. 17, lines 49-50).

With respect to claim 26, Wu discloses executing said executable code at said client (col. 4, lines 32-35).

With respect to claim 27, Wu discloses:

accessing media content (col. 2, lines 46-47, 60);

transforming said media content to an accepted format (col. 2, lines 47-50); and

adding said transformed media content to said executable code (col. 2, lines 47-50).

With respect to claim 28, Wu discloses one or more processor readable storage devices having processor readable code embodied on said processor readable storage devices, said processor readable code for programming one or more processors to perform a method comprising the steps of:

receiving a request for particular content, said request is received at a server (col. 2, lines 45-46);

accessing a mark-up language description of said particular content (col. 2, lines 46-47, 57);

compiling said mark-up language description of said particular content to create executable code that provides said particular content, said step of compiling is performed at said server in response to said request (col. 2, lines 47-50); and

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transmitting said executable code from said server to a client (col. 2, lines 50-51).

With respect to claim 29, Wu discloses that said request is from said client (col. 2, line 52).

With respect to claim 30, Wu discloses that said executable code implements a user interface that provides access to said particular content (col. 2, lines 17-19).

With respect to claim 31, Wu discloses that:

said particular content includes data (col. 2, lines 45-46); and

said data is compiled to executable code during said step of compiling (col. 2, lines 47-50).

With respect to claim 32, Wu discloses that said method further comprises the steps of:

accessing media content, said particular content includes said media content (col. 2, lines 46-47, 60);

transforming said media content to an accepted format (col. 2, lines 47-50); and

adding said transformed media content to said executable code (col. 2, lines 47-50).

With respect to claim 33, Wu discloses one or more processor readable storage devices having processor readable code embodied on said processor readable storage devices, said processor readable code for programming one or more processors to perform a method comprising the steps of:

receiving a request for particular content, said request is received at a server (col. 2, lines 45-46);

accessing first code associated with said particular content (col. 2, lines 46-47, 57);

compiling said first code to create executable code that implements a user interface that provides access to said particular content (col. 2, lines 17-19), said step of compiling is performed at said server in response to said request (col. 2, lines 47-50); and

transmitting said executable code from said server to a client (col. 2, lines 50-51).

With respect to claim 34, Wu discloses that said request is from said client (col. 2, line 52).

With respect to claim 35, Wu discloses that:

said particular content includes data (col. 2, lines 45-46); and

said data is compiled to executable code during said step of compiling (col. 2, lines 47-50).

With respect to claim 36, Wu discloses the steps of:

accessing media content, said particular content includes said media content (col. 2, lines 46-47, 60);

transforming said media content to an accepted format (col. 2, lines 47-50); and

adding said transformed media content to said executable code (col. 2, lines 47-50).

With respect to claim 37, Wu discloses one or more processor readable storage devices having processor readable code embodied on said processor readable storage devices, said processor readable code for programming one or more processors to perform a method comprising the steps of:

receiving a request for content that includes data, said request is received at a server (col. 2, lines 45-46);

accessing said data at said server (col. 2, lines 46-47, 57);

compiling said data at said server to create executable code, said executable code includes a representation of said data, said step of compiling is performed in response to said request (col. 2, lines 47-50); and

transmitting said executable code from said server to a client (col. 2, lines 50-51).

With respect to claim 38, Wu discloses that said request is from said client (col. 2, line 52).

With respect to claim 39, Wu discloses said executable code implements a user interface that provides access to said data (col. 2, lines 17-19).

With respect to claim 40, Wu discloses that said method further comprises the steps of:

accessing media content (col. 2, lines 46-47, 60);

transforming said media content to an accepted format (col. 2, lines 47-50); and

adding said transformed media content to said executable code (col. 2, lines 47-50).

With respect to claim 41, Wu discloses an apparatus, comprising:

one or more storage devices (col. 4, lines 57-59); and

one or more processors in communication with said one or more storage devices (col. 4, lines 57-59), said one or more processors perform a method comprising the steps of:

receiving a request for particular content, said request is received at a server (col. 2, lines 45-46), said request is from a client (col. 2, line 52),



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accessing a mark-up language description of said particular content (col. 2, lines 46-47, 57),

compiling said mark-up language description of said particular content to create executable code that provides said particular content, said step of compiling is performed at said server in response to said request (col. 2, lines 47-50), and

transmitting said executable code from said server to said client (col. 2, lines 50-51).

The server on which the files are converted inherently must contain a storage device, otherwise it could not store the precompiler software. The server must also inherently contain a processor in communication with the storage device, otherwise it could not run the precompiler software.

With respect to claim 42, Wu discloses that said executable code implements a user interface that provides access to said particular content (col. 2, lines 17-19).

With respect to claim 43, Wu discloses that:

said particular content includes data (col. 2, lines 45-46); and

said data is compiled to executable code during said step of compiling (col. 2, lines 47-50).

With respect to claim 44, Wu discloses the steps of:

accessing media content, said particular content includes said media content (col. 2, lines 46-47, 60);

transforming said media content to an accepted format (col. 2, lines 47-50); and

adding said transformed media content to said executable code (col. 2, lines 47-50).

With respect to claim 45, Wu discloses an apparatus, comprising:

one or more storage devices (col. 4, lines 57-59); and

one or more processors in communication with said one or more storage devices (col. 4, lines 57-59), said one or more processors perform a method comprising the steps of:

receiving a request for particular content, said request is received at a server (col. 2, lines 45-46), said request is from a client (col. 2, line 52),

accessing first code associated with said particular content (col. 2, lines 46-47, 57),

compiling said first code to create executable code that implements a user interface that provides access to said particular content (col. 2, lines 17-19), said step of compiling is performed at said server in response to said request (col. 2, lines 47-50), and  
transmitting said executable code from said server to said client (col. 2, lines 50-51).

The server on which the files are converted inherently must contain a storage device, otherwise it could not store the precompiler software. The server must also inherently contain a processor in communication with the storage device, otherwise it could not run the precompiler software.

With respect to claim 46, Wu discloses that:

said particular content includes data (col. 2, lines 45-46); and  
said data is compiled to executable code during said step of compiling (col. 2, lines 47-50).

With respect to claim 47, Wu discloses the steps of:

accessing media content, said particular content includes said media content (col. 2, lines 46-47, 60);  
transforming said media content to an accepted format (col. 2, lines 47-50); and  
adding said transformed media content to said executable code (col. 2, lines 47-50).

With respect to claim 48, Wu discloses an apparatus, comprising:

one or more storage devices (col. 4, lines 57-59); and  
one or more processors in communication with said one or more storage devices (col. 4, lines 57-59), said one or more processors perform a method comprising the steps of:

receiving a request for content that includes data, said request is received at a server (col. 2, lines 45-46), said request is from a client (col. 2, line 52),  
accessing said data at said server (col. 2, lines 46-47),  
compiling said data at said server to create executable code, said executable code includes a representation of said data, said step of compiling is performed in response to said request (col. 2, lines 47-50), and  
transmitting said executable code from said server to said client (col. 2, lines 50-51).

The server on which the files are converted inherently must contain a storage device, otherwise it could not store the precompiler software. The server must also inherently contain a processor in communication with the storage device, otherwise it could not run the precompiler software.

With respect to claim 49, Wu discloses that said executable code implements a user interface that provides access to said data (col. 2, lines 17-19).

With respect to claim 50, Wu discloses the steps of:

accessing media content (col. 2, lines 46-47, 60);

transforming said media content to an accepted format (col. 2, lines 47-50); and

adding said transformed media content to said executable code (col. 2, lines 47-50).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 18, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Microsoft Press Computer Dictionary.

Wu discloses that the executable code is transmitted over the World Wide Web to the target device (col. 2, lines 21-22), however Wu does not expressly disclose that the step of transmitting includes using HTTP to transmit said executable code via a network.

Microsoft Press Computer Dictionary teaches that HTTP is the protocol used to transmit data on the Web (page 238, lines 39-42).

Wu and Microsoft Press Computer Dictionary are analogous art because they are both from the same field of endeavor of computer systems.

At the time of invention it would have been obvious to one of ordinary skill in the art to use HTTP to transmit Wu's data to the target device in order to conform to convention.

Therefore it would have been obvious to combine Microsoft Press Computer Dictionary with Wu for the benefit of convention to obtain the invention as specified in claims 6, 18, and 25.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Russell (2002/0069420).

Wu does not expressly disclose the step of authenticating said request, said steps of compiling and transmitting are only performed if said step of authenticating is successful.

Russell teaches that a network may authenticate a user's request to download content and that if that authentication fails, the server will not allow the user to download the content (par. 94, lines 1-10).

Wu and Russell are analogous art because they are both from the same field of endeavor of content delivery.

At the time of invention it would have been obvious to a person of ordinary skill in the art to allow Wu's invention to authenticate requests for content and to deny delivery of the content if the request does not pass authentication, as taught by Russell.

The motivation for doing so would have been to ensure that the user making the request is authorized to access the content (par. 91, lines 6-7).

Therefore it would have been obvious to combine Russell with Wu for the benefit of authorized access to obtain the invention as specified in claim 11.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Davis (6,643,696).

With respect to claim 12, Wu discloses that said particular content includes an application (col. 2, lines 45-46), said request for said particular content is received by and handled by a request handler in a presentation server (col. 4, lines 58-59), steps of connecting to and receiving data from a data source

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(col. 2, line 46), compiling said data (col. 2, lines 47-50), and transmitting said compiled data to said client (col. 2, lines 50-51).

Wu does not expressly disclose receiving a request from said client for second content, that said second content includes data from an external data source, and that said request for said second content is received by and handled by said request handler in said presentation server.

Davis teaches that a client device can send a request to a server for secondary content (col. 5, lines 54-58) and that the secondary content can be from an external data source (abstract, line 7).

Wu and Davis are analogous art because they are both from the same field of endeavor of computer systems.

At the time of invention, it would have been obvious to one of ordinary skill in the art that Davis's method of calling an application from a previously downloaded webpage could be used with Wu's method of compiling code at a server rather than at the client. After Davis's webpage is downloaded with Wu's system, Davis's webpage would call the secondary application and Wu's system would then proceed to locate and compile that secondary application for presentation to the client.

The motivation for doing so would have been to allow the users of Wu's system to be able to utilize content of the type described in Davis on a thin-client device (col. 1, lines 59-61).

Therefore it would have been obvious to combine Davis with Wu for the benefit of utilizing more complex content on a thin-client device to obtain the invention as specified in claim 12.

With respect to claim 13, Wu discloses that said particular content includes a first application (col. 2, lines 45-46), and the steps of accessing a mark-up language description of content (col. 2, lines 46-47, 57), compiling said mark-up language description of content (col. 2, lines 47-50), and transmitting said compiled mark-up language description of content to said client (col. 2, lines 50-51).

Wu does not expressly disclose the step of receiving a request from said client for second content and that said second content includes a second application called by said first application.

Davis teaches that a client device can send a request to a server for secondary content and that the second content can include a second application that is called by the first application (col. 5, lines 54-58).

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At the time of invention, it would have been obvious to one of ordinary skill in the art that Davis's method of calling an application from a previously downloaded webpage could be used with Wu's method of compiling code at a server rather than at the client. After Davis's webpage is downloaded with Wu's system, Davis's webpage would call the secondary application and Wu's system would then proceed to locate and compile that secondary application for presentation to the client.

The motivation for doing so would have been to allow the users of Wu's system to be able to utilize content of the type described in Davis on a thin-client device (col. 1, lines 59-61).

Therefore it would have been obvious to combine Davis with Wu for the benefit of utilizing more complex content on a thin-client device to obtain the invention as specified in claim 12.

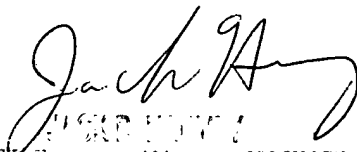
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea Hollar whose telephone number is 571-272-5862. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ABH



JACK HARVEY  
SUPERVISOR, ART UNIT 2142